

Cont.
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an operation processing unit for processing operations required for obtaining denominator portion of the conversion equation and a luminance signal having a final converted format using the plurality of values.

B²
15. (Twice Amended) A device as claimed in claim [10] 28, wherein the denominator generating unit comprises:

a shift right shifting the numerator portion fl from the numerator generating unit by units of (n)th power (n=0, 1, 2, 3, ---) of 2 in a right direction, to provide a plurality of values 2, 1/4, 1/8, 1/16, --- (n=0, 1, 2, 3, ---), and

an operation processing unit for processing operations required for obtaining denominator portion of the conversion equation and a luminance signal having a final converted format using the plurality of values.

REMARKS

Claims 4-9 and 11-31 would remain pending after entry of the amendments above.

In the Final Office Action, the Examiner rejected claims 8, 9, 15, and 16 under 35 U.S.C. § 112 ¶2; rejected claims 4, 24-27, 29, and 31 under 35 U.S.C. § 102(e) as being anticipated by Donovan (U.S. Patent No. 5,914,753); stated that claims 5, 6, 8, 9, 11-23, and 30 appear allowable; and implied that claims 7 and 28 are also allowable¹.

The § 112 ¶2 rejection would be overcome by entry of the above amendments to claims 8 and 15, changing their respective dependencies.

¹ Claim 7 depends from claim 6, and claim 28 was objected to on the cover page, and not rejected over art in the body of the office action.

As an initial matter, Applicant notes that the Examiner has not read, e.g., claims 24, 29, or 31 with particularity on Donovan. In particular, none of the elements in these independent claims were read on particular components in Donovan, forcing Applicant to guess at the components which the Examiner considers to anticipate the claimed elements. Applicant respectfully reminds the Examiner that under 37 C.F.R. § 104(c)(2) "the particular part [of the reference] relied on must be designated as nearly as practicable," and respectfully requests that, in any subsequent actions containing art rejections, the claim elements be read upon particular components of the reference(s). Further, because the Final Office Action has not read the rejected claims with particularity on the applied reference, a *prima facie* case of anticipation under 35 U.S.C. § 102(e) has not been established. The rejection amounts to at most an unsupported allegation of anticipation, and a new action should be issued answering all of Applicant's traversals.

In particular, Applicant raised specific points in the previous Amendment which have not been answered by specific teachings of Donovan. These points will be repeated below.

Applicant respectfully traverses the rejection of claim 31 over Donovan. Claim 31 requires a device including, inter alia, "a controller ... determining a conversion equation from the determined input video format and the determined desired output video format."² Donovan does not teach the claimed device. As noted in the previous Amendment, the SRC controller 208 in Fig. 15 merely passes a mode (0-6) to the scan rate converter 206 (col. 10, lines 15-18). The

² This quote from claim 31 contradicts the Examiner's assertion on page 2 of the Final Office Action that "the claim simply recites determining an input format and a desired output format." The Examiner is respectfully requested to treat all elements of the claim.

scan rate converter 206 in turn determines television signal parameters by performing a lookup in the parameter table 224 (col. 10, lines 17-31). Neither the controller 208 nor the scan rate converter 206 "determin[es] a conversion equation from the determined input video format and the determined desired output video format," as set forth in claim 31. Because Donovan fails to teach all elements of the claim, the rejection of claim 31 is improper and should be withdrawn.

Applicant respectfully traverses the rejection of claim 29 over Donovan. Claim 29 requires a device including, inter alia, "a horizontal format converting unit . . . including, a second operation unit for being configured to perform an arithmetic operation, and a second control unit determining a horizontal conversion operation to convert the output of the vertical format converting unit into a desired horizontal format based on the determined converting mode, and configuring the operation unit to perform the horizontal conversion operation."

Donovan does not teach the claimed device. On page 3 of the Final Office Action, the Examiner cites "the clock circuit of Donovan" as allegedly corresponding to the claimed second operation unit, but provides no element number or other proof of such allegation from Donovan. Applicant notes that neither of Figs. 11 and 15 cited in the first Office Action shows a "clock circuit."

However, assuming *arguendo* that Donovan disclosed a clock circuit under control of a clock controller, as the Examiner infers on page 3 of the Final Office Action, such clock circuit would not be "configured to perform an arithmetic operation," as required by claim 29. Nor would the postulated clock controller "determin[e] a horizontal conversion operation to convert the output of the vertical format converting unit into a desired horizontal format based on the determined

converting mode," as set forth in claim 29. Because Donovan fails to teach all elements of the claim, the rejection of claim 29 is improper and should be withdrawn.

Applicant respectfully traverses the rejection of claims 24-27 over Donovan. Claims 24-27 each require a device including, inter alia, "a numerator generating unit...configuring to calculate the numerator portion of the conversion equation in response to the control signals; and a denominator generating unit...configuring to divide the output of the numerator generating unit by the denominator portion in response to the control signals." Donovan does not teach the claimed device. Rather than point to specific components of Donovan, on page 3 of the Final Office Action, the Examiner cites "text from col. 11, line 23." From col. 11, line 12 to col. 14, line 35 of Donovan, there is presented a mathematical discussion of how to compute various VGA and television parameters (col. 14, lines 6-10). There is no teaching in this cited section of Donovan of the claimed numerator generating unit and denominator generating unit. Applicant notes in this regard a remark in the last paragraph of page 3 of the Final Office Action concerning what one of ordinary skill would consider or designate. One of ordinary skill is irrelevant to a rejection under 35 U.S.C. § 102(e). The cited reference must actually teach all claim elements. See M.P.E.P. § 2131. In all instances above, the Examiner has shown no teaching in Donovan of the claimed elements. Because Donovan also fails to teach all elements of claims 24-27, the rejection of these claims is improper and should be withdrawn.

Concerning the remarks in section 3 on page 4 of the Final Office Action, this appears to be a phantom rejection over the two mentioned references. If the Examiner considers these references to anticipate or render obvious any of the claims, then they should be applied in an

explicit rejection under 35 U.S.C. § 102 or 35 U.S.C. § 103. Until the Examiner explicitly rejects the claims over these "very pertinent" references, the claims remain *prima facie* allowable over them.

Applicant respectfully submits that the proposed claim amendments above do not present any new issues which would require further consideration or search. In particular, the amendment to claims 8 and 15 merely correct the noted antecedent issues. Thus, Applicant requests that this Amendment be entered, and claims 4-9 and 11-31 be allowed to issue as a patent.

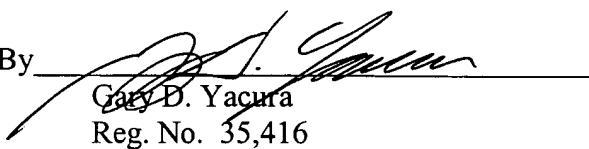
In the event that any outstanding matters remain in this application, Applicant requests that the Examiner contact Alan Pedersen-Giles (Reg. No. 39,996) at (703) 205-8074 to discuss such matters.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Very truly yours,

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